

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-2 and 9-20 are presently active in this case. The present Amendment amends Claims 1-2, 9-10, 13 and 15-20 and cancels Claim 3.

The outstanding Office Action objected to Claims 2, 14, 16 and 18-20 because of informalities. Claim 13 was rejected under 35 U.S.C. § 102(b) as being anticipated by Evans et al. (U.S. Patent No. 5,505,003). Claims 1-2, 9, 12, 14 and 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Maag (U.S. Patent No. 4,166,323) in view of Bieg (U.S. Patent No. 4,976,043). Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Maag and Bieg and further in view of Newton (U.S. Patent No. 4,383,369).

Claims 3, 11, 15 and 16 were indicated as allowable if rewritten in independent form. Applicant acknowledges with appreciation the indication of allowable subject matter. In response, features of allowable Claims 3 are incorporated into independent Claims 1 and 17; and Claims 11, 15 and 16 are rewritten in independent form. Therefore, Claims 1, 11-12, 14-20 are believed to be allowable.

In response to the claim objections, the claims are amended to correct the noted informalities. In view of the amended claims, it is believed that all pending claims are proper and no further objection is anticipated. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually acceptable language.

In order to clarify Applicant's invention, Claims 2, 9 and 10 are amended and rewritten in independent form, and Claim 13 is amended. The amendments to the claims find

support in the disclosure as originally filed. Therefore, the changes to the claims are not believed to raise a question of new matter.

In response to the rejections of Claims 2, 9-10 and 13 under 35 U.S.C. § 102(b) and 35 U.S.C. §103(a), Applicant respectfully requests reconsideration of these rejections and traverses the rejections, as discussed next.

The outstanding Office Action rejected Claim 2 over Maag in view of Bieg based on the proposition that Maag discloses “a first pair of travel stops (ends of support 2) oriented in the same direction as the feeler, the feeler being situated between the travel stop.”¹ Applicant respectfully points out, however, that Claim 2 also recites that the travel stop are parts of a complementary immobilization means. Their purpose is to stop the support at a determined position when mounting it and approaching it toward the profile to be measured. The Maag travel stops, relied upon by the Office Action, stop the displacement of the pedestal 6 when it is displaced in the support and are included inside the support without having any connection with the mandrel carrying the measured part 4 nor any other part of the machine 1. Maag is completely silent on immobilization means between the support 2 and the machine 1.

The Office Action acknowledges this point at page 5, lines 17-18 and identifies complementary immobilization means in Bieg. However, the identified structure in Bieg only includes balls, and therefore do not read on the features of Claim 2. Further, Maag does not suggest any means, including the travel stops, that allows the removal of the gear tester for completing a machining, then replacing it at exactly the same measuring position. The travel stops in Maag finally limit the displacement of the pedestal in two opposite documents, they are therefore not oriented in the same direction as the feeler.

¹ Outstanding Office Action, page 3, last 2 lines and page 4, lines 1-2.

In order to clarify Applicant's invention, Claims 2 is amended to recite that the immobilization means comprise flat surfaces for receiving the travel stops.² These features are clearly not taught or suggested by the combination of the Maag and Bieg patents.

In order to clarify Claim 9, this claim is amended to recite that the measurement standard includes a test profile for the feeler and complementary means for the immobilization means. These features find support in Applicant's original disclosure, for example at page 9, lines 6-12. These features, in addition to the other features recited in Claim 9, are clearly not taught or suggested by the combination of the Maag and Bieg patents.

Claim 10 was rejected over Maag and Bieg and further in view of Newton. Newton discloses a feeler with an oblique, rotatable rod with an adjustable inclination. However, Newton fails to disclose a device for bringing the rod at any one of two predetermined positions so that the apparatus can feel both faces of a recess. Thus, Claim 10 is amended to recite a "device for rotating the rod between two diametrically opposed predetermined positions, and a second pair of travel stops of the rod for defining the two opposed positions."³ These features, in addition to the other features recited in Claim 10, are clearly not taught or suggested by the combination of the Maag, Bieg and Newton patents. In particular, Newton does not disclose any predetermined position nor travel stop, only a holding means of the rod.

Claim 13 was rejected over Evans et al. This reference, however, discloses a unitary device for the feeler, the cube 302 and the mandrel carrying the part. Claim 13 is amended to clarify Applicant's invention and further distinguish over this reference, in part by reciting features related to a standard, which are clearly not disclosed by the prior art.

² See also Applicant's specification, top of page 6, Fig. 2 and page 9, lines 6-9.

³ See also Applicant's specification, for example at page 8, lines 2-3.

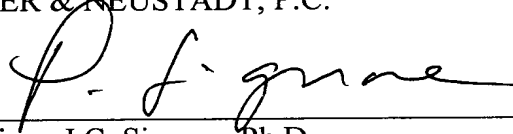
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Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-2 and 9-20 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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